

**Montana Code Annotated - 2007**2  
3-13-09  
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**42-7-101. Fees related to placement for adoption by parent.** (1) Reasonable adoption fees may be paid by the adoptive parent for the actual cost of services. The cost of services must relate to:

- (a) a petition for adoption;
- (b) placement of a child;
- (c) medical care or services;
- (d) prenatal care;
- (e) foster care;
- (f) a preplacement evaluation;
- (g) counseling related to providing information necessary to make an informed decision to voluntarily relinquish a child;
- (h) travel or temporary living costs for the birth mother;
- (i) legal fees incurred for services on behalf of the placing parent;
- (j) the reasonable costs incurred by a placing parent in a direct parental placement adoption to document the disclosures of medical and social history required by 42-3-101; and
- (k) other reasonable costs related to adoption that do not include education, vehicles, salary or wages, vacations, or permanent housing for the birth parent.

(2) A birth parent or a provider of a service listed in subsection (1) may receive or accept a payment authorized by subsection (1). The payment may not be made contingent on the placement of a child for adoption or upon relinquishment of and consent to adoption of the child. If the adoption is not completed, a person who is authorized by subsection (1) to make a specific payment is not liable for that payment unless the person has agreed in a signed writing with a birth parent or a provider of a service to make the payment regardless of the outcome of the proceeding for adoption.

**History:** En. Sec. 147, Ch. 480, L. 1997.

Provided by Montana Legislative Services